

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE SUBJECT HUNGER STRIKE	EFFECTIVE DATE 04/12/1999	NUMBER 04.06.120
	SUPERSEDES 04.06.120 (03/07/94)	
	AUTHORITY MCL 24.207(k); 791.203	
	ACA STANDARDS 3-4212	
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POLICY STATEMENT:

Any prisoner who appears to be engaging in a hunger strike shall be immediately identified, evaluated, and managed as set forth in this policy.

POLICY:

DEFINITIONS

- A. Qualified Mental Health Professional (QMHP): A psychiatrist, psychologist, social worker, psychiatric nurse, clinical nurse specialist, or other trained mental health professional licensed or certified by the State of Michigan.

GENERAL INFORMATION

- B. A physically healthy individual may refuse food for several weeks without ill effects, but refusal of liquids may result in serious dehydration in a matter of days.
- C. When a prisoner is noted by staff to refuse food or liquids for 72 hours, health care staff and the warden shall immediately be notified. Health care staff shall promptly assess the prisoner's physical health condition and require the prisoner to sign a waiver as described in Paragraph F.
- D. If the prisoner is currently diagnosed as mentally ill or has a documented history of mental illness, health care staff shall ensure that a comprehensive mental health evaluation is completed by a QMHP with special attention to the contribution made by mental illness to the hunger strike. If medical indications exist, mentally ill prisoners shall receive inpatient services that meet their needs. Prisoners whose mental illness is not contributing to a hunger strike shall be managed similarly to prisoners without mental illness who may be engaged in a hunger strike.
- E. If evaluation by a QMHP determines that a prisoner is not competent to make an informed decision, proceedings to appoint a guardian shall be initiated.
- F. A hunger striking prisoner shall be required to sign and date a waiver acknowledging receipt of a thorough explanation of the consequences of refusing foods or liquids, that participation in a hunger strike is voluntary, and that s/he is fully informed of the consequences of his/her behavior. If the prisoner is unable or refuses to sign the waiver, a health care staff person shall read the waiver to the prisoner, answer any questions, and sign and date the waiver attesting to having read the waiver to the prisoner. The staff signature shall be witnessed by another employee whenever the prisoner refuses to sign.
- G. A hunger striking prisoner housed in general population shall be permitted to remain in general population and health care monitoring shall occur in that setting. If a hunger striking prisoner is housed in segregation, housing staff shall take steps to monitor the prisoner's intake of food and drink, including refusal, and ensure that food and drink are offered at least three times per day during the segregation unit's normal meal times. Health care monitoring activities shall take place with the prisoner continuing to reside in segregation.

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- H. If the hunger strike ends (as evidenced by the prisoner eating and drinking appropriately, the prisoner maintaining his/her weight in the absence of abnormal fluid status, or through other reliable evidence), the warden and appropriate health care staff shall be notified and shall determine whether or not monitoring activities may cease.
- I. Media contact shall be coordinated by the Office of Public Information and Communications. Prisoner interviews shall not be permitted, although normal telephone usage shall be allowed.

OPERATING PROCEDURES

- J. The Administrator of the Bureau of Health Care Services shall ensure that within 60 days of its effective date procedures implementing this policy directive are developed.

BM:OPH:04/13/99